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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) Civil No. 08cv0703-LAB(NLS)  
11 Plaintiff, ) JUDGMENT  
12 v. ) OF FORFEITURE  
13 ONE 1999 FORD F-350 TRUCK, )  
14 CA LICENSE NO. 7S45250, )  
15 VIN 1FTSW31FXXEC08511, )  
16 ITS TOOLS AND APPURTENANCES, )  
Defendant. )

Having reviewed the foregoing Joint Motion and good cause appearing therefor,

**18** IT IS HEREBY ORDERED, ADJUDGED and DECREED:

**19** The Joint Motion is approved.

20           1. The parties, the United States of America, by and through its counsel, Karen P.  
21           Hewitt, United States Attorney, and David M. McNees, Special Assistant U.S. Attorney, and the  
22           claimant, David S. Druker (“Claimant”), has entered into this joint motion in order to resolve the  
23           matter of the seizure and forfeiture of the above-referenced defendant, ONE 1999 FORD F-350  
24           TRUCK (“defendant vehicle”).

25           2. Ninety percent of the proceeds of the sale of the defendant vehicle is hereby  
26 forfeited and condemned to the United States pursuant to Title 21, United States Code, Section  
27 881. Judgment is entered in favor of the United States on its complaint. The remaining ten percent  
28 of the defendant vehicle proceeds shall be returned to Claimant David S. Druker.

1           3. Costs incurred by the United States incident to the seizure and custody of the  
2 defendant vehicle shall be borne by the United States.

3           4. The person or persons who made the seizure or the prosecutor shall not be liable to  
4 suit or judgment on account of such seizure in accordance with Title 28, United States Code,  
5 Section 2465. Claimant has agreed that by entering into this joint motion, he has not "substantially  
6 prevailed" within the meaning of 28 U.S.C. § 2465. Each party shall bear its own costs and  
7 expenses, including attorney fees.

8           5. Claimant has warranted and represented as a material fact that he is the sole owner  
9 of the defendant vehicle, and has further warranted that no other person or entity has any right,  
10 claim or interest in the defendant vehicle. Claimant will defend and indemnify the United States  
11 against any and all claims made against it on account of the seizure and forfeiture of the defendant  
12 vehicle.

13           6. The Claimant, his agents, employees, or assigns, shall hold and save harmless the  
14 United States of America, its agents and employees, from any and all claims which might result  
15 from the seizure of the defendant vehicle.

16           7. Following forfeiture of the United States' portion and distribution of the Claimant's  
17 portion of the defendant vehicle as described above, this case shall be closed.

18           Let judgment be entered accordingly.

19           DATED: June 29, 2008

20           Larry A. Burns

21           **HONORABLE LARRY ALAN BURNS**  
22           United States District Judge

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